

9, 1904. ON ALL NEWS STANDS, TRAINS AND STREETS 5 CENTS.

# OF THE JAPS.

## ports the Attack Made on en Insignificant in Effect.

### ne Attacking Squadron Has Is Seeking Russian of Land Battles.

ATED PRESS—P.M.]

the open sea. All the harbors along the coast in which the Russians might seek refuge are frozen, and the squadron must eventually be forced to return to Vladivostok for coal.

Although the Japanese squadron is superior in numbers and guns, consisting of a battleship and four armored cruisers, two of which are believed to be the Idzumo and Yakumo, and two unarmored cruisers, the four armored cruisers under Capt. Reitzenstein, the *Rossia*, *Cromobol*, *Rutik* and *Bogatyr*, are among the finest vessels in the Russian navy, constituting, as sister ships, a homogeneous fighting unit, and experts here are not certain that they could not take the measure of Rear-Admiral Uriu's ships.

#### RUMOR OF ENGAGEMENT.

[BY THE ASSOCIATED PRESS—P.M.]

LONDON, March 9.—The Daily Telegraph this morning publishes a dispatch from Tokio, dated March 7, saying: "It is rumored that the Japanese fleet engaged the Russian Vladivostok squadron at sea yesterday. The result of the engagement is not announced, but it is believed the Russian ships were destroyed or captured."

#### SHANGHAI HEARS OF DEFEAT.

[BY DIRECT WIRE TO THE TIMES.]

SHANGHAI, March 8.—[Exclusive Dispatch.] It is reported here that large bodies of Russian and Japanese troops met, about one hundred miles from Vladivostok, and that the Russians were defeated.

#### RUSSIA ASKS NO MEDIATION.

[BY DIRECT WIRE TO THE TIMES.]

ST. PETERSBURG, March 8.—[Exclusive Dispatch.] Concerning the report that Russia wished for mediation with Japan, a high official said today that the idea is preposterous and would continue so until a brilliant success had been obtained by Russia to retrieve her reverses at sea. Efforts now, he said, would be concentrated on the army for a sweeping victory on land. This is considered imperative in order to save the face of the nation before the world.

#### ITO'S VISIT TO KOREA.

[BY THE ASSOCIATED PRESS—P.M.]

TOKIO, March 8.—The forthcoming visit of Marquis Ito, as a special ambassador from the Emperor of Japan, to the Emperor of Korea claims general attention. It was originally planned to send a prominent Japanese to Seoul as a permanent resident adviser to the Korean government, and various names were suggested.

The announcement that the Marquis Ito is going is a surprise. In official circles it is insisted that the object of Marquis Ito's visit to Korea is not politically important.

Count Tsuzuki, secretary of the Privy Council; Lieut. Gen. Hasegawa, Admiral Sakomoto and Viscount Higashizono will accompany the Marquis Ito on his trip.

It is denied that Japan has any new plan to execute. It is thought, however, that Marquis Ito will make an investigation of the general condition of Korea, and formulate possibly some recommendations which will be useful in the adoption of a policy for the future.

#### BANDITS ATTACKING RUSSIANS.

[BY DIRECT WIRE TO THE TIMES.]

CHEFOO, March 8.—[Exclusive Dispatch.] The numbers of the bandit Chunchus in Manchuria are rapidly increasing. They are making successful attacks on isolated bodies of Russian troops, and are ripping up sections of railway and destroying telegraph lines. The mobilization of Japanese troops in Korea is proceeding methodically.

#### COSSACKS CROSS TUMEN.

[BY DIRECT WIRE TO THE TIMES.]

SEOUL, March 8.—[Exclusive Dispatch.] Today seventy Cossacks crossed the Tumen River from Manchuria and proceeded as far south as Kiaochow, a small Korean town. More Cossacks are following them. Russian reconnoitering parties are returning to Wiju without having encountered the Japanese.

#### FOUR JAPANESE ARMIES.

[BY THE ASSOCIATED PRESS—A.M.]

SHANGHAI, March 8.—The mobilization of Japanese troops proceeds regularly, but much slower than expected. On landing in Korea and Manchuria, the Japanese forces



## THE VERY LATEST. WAR NEWS AFTER MIDNIGHT.

**ALLIES FOR RUSSIANS.**  
(BY DIRECT WIRE TO THE TIMES.)  
ST. PETERSBURG, March 8.—[Exclusive Dispatch.] Permission has been granted by the government for the formation of a body to be made up of thousands of Bulgarians, Serbians and Montenegrins, to go to the front in the Far East.

**FEARS CHINESE UPRISING.**  
(BY DIRECT WIRE TO THE TIMES.)  
ST. PETERSBURG, March 8.—[Exclusive Dispatch.] There is great fear here that the Japanese are secretly endeavoring to incite the Chinese to take an active part in the war against Russia, and their efforts are likely to succeed. The prospect of China joining forces with Japan is regarded very seriously by the Russian government, since it is felt that France would not come to aid her ally if China alone became hostile.

**LONDON GLEANINGS.**  
(BY THE ASSOCIATED PRESS—P.M.)  
LONDON, March 8.—It is reported from Shanghai that Viceroy Alexieff is preparing to remove his quarters to Harbin, after having in vain ordered the Tartar general to dislodge the Chinese garrison at Mukden.

In Shanghai it is believed that the Japanese will attempt the seizure of Newchwang as soon as the ice clears. A correspondent of the Daily Express at Shanghai asserts that the Russians are throwing up a continuous line of earthworks from Kaiping to Lao Yang.

The Chefoo correspondent of the Daily Express reports that a large Japanese fleet has been seen proceeding in the direction of Newchwang.

Among other unconfirmed reports it is said at Yinkow that the Japanese have advanced to Feng Hoan Cheng, about forty miles northwest of Wiju.

It is reported that news has reached Osaka, Japan, of an engagement between Japanese and Russians at a point 100 miles from Vladivostok, in which the Russians fled.

**ITEMS VIA PARIS.**  
(BY THE ASSOCIATED PRESS—P.M.)  
PARIS, March 8.—The Matin this morning publishes a dispatch from Harbin, Manchuria, in which the correspondent says the weather is still stormy at Port Arthur and the sea extremely rough.

It is rumored from Liao Yang, the correspondent continues, that a small house near the railroad station there is being prepared for the occupancy of Gen. Kourpatkin.

The railroad company has been obliged to advance three months' pay to numerous employees, who otherwise would not be able to feed their wives and children. The price of foodstuffs have been increased extravagantly, and the population is begging that a scale of prices be fixed officially.

**INTERVIEW WITH SAKHAROFF.**  
(BY THE ASSOCIATED PRESS—P.M.)  
PARIS, March 8.—The St. Petersburg correspondent of the Figaro has sent an interview with Gen. Sakharoff, Minister of War, who, while refusing to give the number of men concentrated in the Far East, says the military authorities were well pleased. There was no lack of troops, he said, but the means of transportation beyond Lake Baikal were inadequate.

and he was about to send 120 locomotives and 2000 cars beyond the lake, in order to move the troops more regularly. Gen. Sakharoff declared that the number of troops to go to Manchuria had not yet been fixed; he would send what was necessary, and he admitted that the minimum would be 4000. The question of supplying the army with provisions did not cause anxiety.

Gen. Sakharoff said he had no knowledge of any plan to withdraw troops from Port Arthur, leaving the town to its own defense. The correspondent of the Figaro, however, affirms positively that this plan was elaborated in St. Petersburg, and adds that it was first revealed by a man whom nobody in Russia can disavow.

**MAKAROFF AND ALEXIEFF.**  
(BY THE ASSOCIATED PRESS—P.M.)  
PARIS, March 8.—The St. Petersburg correspondent of the Matin says that Vice-Admiral Makaroff has arranged with Viceroy Alexieff a plan of defensive operations. Vice-Admiral Makaroff is declared to be anxious to make an aggressive move in order to put an end to the blockading of Port Arthur.

**THAT BALTIC SQUADRON.**  
(BY THE ASSOCIATED PRESS—P.M.)  
PARIS, March 8.—Telegraphing from St. Petersburg, a correspondent of the Echo de Paris says that, contrary to the statements cable from Port Said, the Russian squadron under command of Admiral Wierzbicki is returning to Libau, on the Baltic, in a few weeks, leaving only one cruiser and several torpedo boats in the Mediterranean.

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regardless of the people," Judge Kohlmeier said. "I do not mean to deny the union laborer the right to strike, but I do say that he has no right, by force to attempt to prevent another man earning a living for his family. This is a species of anarchy that labor unions must eliminate."

**NO SWEATBOX CONFESSIONS.**  
(BY DIRECT WIRE TO THE TIMES.)  
KANSAS CITY (Mo.) March 8.—[Exclusive Dispatch.] Sweatbox confessions of criminals are not to be allowed hereafter, as evidence against a person on trial in the criminal court. Judge Wofford declared today that the police had no right to extort a confession with the idea of using it at the trial, and he said that no confession of guilt and no admission tending to show guilt would be admitted hereafter as evidence in his court.

**FEDERAL EIGHT-HOUR BILL.**  
(BY DIRECT WIRE TO THE TIMES.)  
ST. PAUL (Minn.) March 8.—[Exclusive Dispatch.] At the direction of the Chamber of Commerce, a voluminous brief on the Federal Eight-Hour Bill has been prepared, and accompanied by vigorous resolutions opposing the measure, will be forwarded tomorrow to the Minnesota delegation in Congress.

**MME. PATTI'S "LAST FAREWELL."**  
(BY DIRECT WIRE TO THE TIMES.)  
ST. LOUIS (Mo.) March 8.—[Exclusive Dispatch.] Mme. Adelina Patti closed her American tour at Hot Springs tonight. She will cancel all other engagements and sail from New York in a short time.

**LIEUT. BEZEKE'S CRIME.**  
Took His Last Cent to Give Family Splendid Dinner, Then Poisoned All, Including Himself.  
(BY THE ASSOCIATED PRESS—P.M.)  
BERLIN, March 8.—[Atlantic Cable.] Lieut. Karl Bezeke (retired), after a long and steady decay of fortune, yesterday took his last money and gave a splendid dinner in honor of his nineteen-year-old daughter's birthday. Bezeke then poisoned his wife, daughter, two children, respectively 12 and 15 years old, cadets at a military academy, and himself, with cyanide of potassium, which he seemingly inserted in the mouth of each in the form of pills after they had gone into a drunken sleep.

The sheriffs had taken charge of everything in the house and labels had been attached to the furniture, which would have been sold at auction today.

After a brilliant career and a marriage with an heiress, Bezeke had reached the end of his fortune. He won the Iron Cross during the war of 1870-71, with France, married the daughter of a rich hotel keeper, thereby having to leave the service, and he married out of his caste, and started a newspaper. The lieutenant wrote well, but the paper was not successful, and he became sales agent for a manufacturer and then a manager of a map-making enterprise. He lived beyond his means for thirty years.

Last night the Bezeke family had a box at the circus. At 10 o'clock which was ordered. Bezeke was suddenly gay and tender, and pressed his wife and children to drink lots of champagne. He died holding his wife's hand tightly.

## DECISIVE NAVAL FIGHT PROBABLY NOW ON.

(BY THE ASSOCIATED PRESS—P.M.)

**TOKIO, March 8.**—[Delayed FOKIO, March 8.] Tuesday (Delayed Transmission.) It is believed here that their chase already been a decisive naval engagement in the vicinity of Vladivostok. Tidings of it are anxiously awaited. The Japanese fleet did not, it is said, go to Vladivostok for the purpose of bombarding the town, but to locate and attack the armored cruisers Croninobin, Rostok, Rutik and the cruiser Bogatry, the Russian fleet stationed there. It is understood here that when the Japanese fleet arrived there on Sunday last it found the Russian squadron absent. If this is true it gave the Japanese squadron advantage in the way of avoiding battle close to the in-shore batteries, at the same time putting it in a position to prevent the Russian ships reentering the harbor. It is doubted that the Japanese withdrew their entire squadron unless the location of the enemy had been discovered, as it meant surrendering the advantage of being in

a position between the enemy and the enemy's base. There is a strong possibility that the Japanese found the Russian ships in the vicinity of Posier Bay and gave them battle there. The names and number of ships in the squadron have been kept secret, but it was probably sufficiently strong to divide into two divisions, the one to guard Vladivostok and the other to cruise in search of the Russian ships. It is said that the newly purchased cruisers Nislin and Kasaga are taking part in the present movement on Vladivostok. The Navy Department expects to receive dispatches tomorrow from Gensan where it was planned that the fleet would call after the operation involving an attack upon the Russian squadron had been concluded. The Japanese are quite confident in the ability of their squadron to finally defeat the Russian ships, and laughingly say that the big Russian cruiser which stand unusually high out of the water make excellent targets.

**WIJU OR ANTUNG  
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**PLUNDER OF KANG KAE.**  
(BY DIRECT WIRE TO THE TIMES.)  
SEOUL, March 8.—[Exclusive Dispatch.] Several hundred Cossacks yesterday plundered the North Korean town of Kang Kae, seized all provisions and murdered a number of women. Local Korean soldiers exchanged shots with the marauders, who then retired. Several Koreans were wounded.

**RETRIVANT AND ASKOLD.**  
(BY DIRECT WIRE TO THE TIMES.)  
TOKIO, March 8.—[Exclusive Dispatch.] According to Port Arthur reports, the Retrivant and Askold have been refloated, and salvage work is proceeding on the Casarevitch.

There are not more than 40,000 troops north of Seoul, and they are for the most part south of Anju. It would probably take them several days to go in force to the Yalu River. It is the belief here, however, that when the main Japanese army is ready to strike, the soldiers now in Western Korea will move northward to threaten the Yalu River and thus keep the Russian army in Southeastern Manchuria.

**NEGROES FIRE CITY.**  
Ohio Colored People Starting to Burn Up Springfield, where Lynching Took Place Monday Night. Troops Pouring Into Town.

(BY THE ASSOCIATED PRESS—P.M.)  
COLUMBUS (O.) March 8.—Upon urgent representations from Mayor Bowler of Springfield that a race war is imminent as a result of the lynching of the negro Dixon, Gov. Herrick tonight ordered eight companies of State militia to that city to preserve order. Beside the two companies at Springfield, companies at Urbana, Dayton, Xenia, Mansfield and Tiffin were called out.

Gov. Herrick's first order to Mayor Bowler was to issue a proclamation ordering the closing of all saloons. Next, he ordered the colored members of the Co. A Ninth Infantry, to rest on their arms in the army and to see that none of the guns were stolen.

Senator Hyges, shortly before 9 o'clock, was advised that the colored mob, who were gathered in front of the hotel, were threatening to burn the hotel. The police were brought up to a stage of frenzy.

The trouble was due largely to threats made during the day by white men that they intended to burn the hotel. On the other hand, the colored people, enraged at the public exhibition of the body of Dixon, threatened reprisals.

The police were being wholly ignored, and all attempts to curb the rising spirit of the people were futile. It was believed that the mob intended the arrival of several outside companies would have much to do with quieting the demonstration. The local companies, he feared, would not receive the consideration that visiting companies would.

At 10 o'clock two companies from Dayton were en route to Springfield. It is expected all the troops will be in Springfield before morning.

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(BY THE ASSOCIATED PRESS—P.M.)  
SPRINGFIELD (O.) March 8.—At 11:20 o'clock the threat of the mob fire quickly made during the day and evening was finally made good, and a volume of flame shot up from the hotel. The fire spread rapidly, and the hotel was soon a mass of flames. The fire spread both ways from the hotel, and the fire spread both ways from the hotel, and the fire spread both ways from the hotel.

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# CAN VETO LORD'S WILL.

Apostle Lyman "Balls up" the Mormon Church.

"Divine Revelations" Cut no Ice if Rejected.

Irrigation Bill for Californians—Congress.

(BY THE ASSOCIATED PRESS—P.M.)

WASHINGTON, March 8.—The Senate Committee on Privileges and Elections today brought out a variety of testimony, of which the most sensational was that given by Francis M. Lyman, president of the "Twelve Apostles" of the Mormon Church, and the man chosen to be the successor of President [Smith]. His admissions were similar to those previously made by Smith pertaining to the church government. He is more free of speech than the president of the church, and his testimony, though not materially differing, caused several of the apostles present to shake their heads at the witness for the purpose of compelling more discretion in answering questions. Lyman is angularly built, his face is covered with a growth of bushy red whiskers, and his speech is blunt.

Four witnesses were on the stand today. They were Mrs. Kennedy, her mother, Mrs. Matthews; Charles Merrill, the son of Apostle Merrill, and Apostle Lyman.

MRS. KENNEDY'S TESTIMONY.

(BY THE ASSOCIATED PRESS—A.M.)

WASHINGTON, March 8.—Mrs. Clara Mabel Kennedy resumed the stand today, Worthington, for the defense, continuing cross-examination of the witness, and inquiring as to the reasons for her marriage being consummated at Juarez, Mex., instead of at St. Louis, where she lived. She said she knew to reason and had no information regarding an attempt to have the ceremony performed elsewhere. She said she did not tell anyone that the man to whom she was to be married had another wife, and so far as she knew those performing the ceremony did not know the marriage was to be a plural one.

Later, Mrs. Kennedy was asked if she did not know that application had been made to Apostle Teasdale and that he had refused to conduct or authorize the plural marriage.

"What did he say?" asked Worthington.

"He said that it could not be done, as all that had been done away with," said Mrs. Kennedy.

Worthington called attention to the inconsistency of the statements, and he asked why she had said she did not know a request had been made to someone to perform the ceremony.

"I don't know how I happened to say that," said the witness.

Continuing, she said, with some emotion, "It was not pleasant for me to think about those things, and I tried to put them aside. I tried to forget all I could about it."

In response to further questions from Mr. Taylor, the witness said her mother told her of the request of Apostle Teasdale, and that she had no other knowledge of the attempt to get him to perform the ceremony.

APOSTLE MERRILL'S SON.

Charles F. Merrill, a son of Apostle Merrill, was then called to the stand. He said he was the son of his father's third plural wife, and was himself a polygamist. In answer to questions concerning his own marriages, Merrill said he was married first in 1887 to a wife that had died in 1889, and that he married "his legal wife, Chloe Hendricks," in 1891, and had five children by her. He married another wife in 1888, the ceremony being performed in the Logan Temple by M. C. Edmondson. He has had four children by that wife. Their mother's name was Anna V. Stoddard.

"The marriage to my legal wife in 1891," said Merrill, "was solemnized by my father."

"Were you living with Anna B. Stoddard when you married the woman you call your legal wife?" was asked.

"I was, although she had no house. She stayed at the home of her father and her mother, and I lived with my mother."

In answer to questions from Chairman Burrows, Merrill said he now has two wives, and is cohabiting with both.

Senator Overman asked for a description of the marriage ceremony to Anna B. Stoddard in 1888, and the witness declared that he could not remember how it was performed, except that he went to the temple in Logan, and it was performed there.

In response to a question by Senator Dubois, Merrill said there was no marriage certificate issued, no record or any documents of any kind so far as he knew. He said there was no music, no prayers and no questions that he could remember.

"There was nothing but the marriage ceremony," he said.

"Well, tell us about that," several members of the committee demanded.

"I cannot repeat it," said the witness. He was told to give the substance of it.

He said he and his wife stood up and joined hands and he had promised to love, cherish and support the woman.

"And did you continue to cohabit with her after you married the woman you call your legal wife?" Chairman Burrows asked.

The witness said he lived with both wives, but that they had different homes at Richmond, Utah, about a mile apart.

"You say you were living with your mother when you were married the second time. Where was your father, Apostle Merrill, at that time?" he was asked.

"He was on the underground most

of the time," said the witness, jocularly.

"What do you mean by 'on the underground'?" asked Worthington.

"He was in hiding," said the witness.

"Why was he in hiding?" asked the chairman.

"Because about that time there were prosecutions going on for polygamy," Merrill answered.

Merrill said his father is still living, and still an apostle of the church, but that he is very feeble.

In regard to his father's family, Merrill said he had a father with six wives, and that he had twenty brothers and seventeen sisters. He was asked how many nephews and nieces he had, and said he did not know, but thought there were more than one hundred.

"My father lives with his first wife, and comes to the home of my mother probably not more than once a month," said the witness. "My father is a very busy man," the witness supplemented.

Merrill thought three of his brothers had married plural wives and that two of his sisters had married into polygamist families.

MRS. KENNEDY'S MOTHER.

The prosecution called to the stand Mrs. Emma Matthews of Marysville, Utah, mother of Mrs. Clara Mabel Kennedy.

Mrs. Matthews said she had been a member of a Mormon colony for twenty-five years and is a Mormon herself. She has been a plural wife, but is not now.

Mrs. Matthews said that while living at St. Louis she had known Johnson for two years prior to his marriage to her daughter, and that she had no objection to her daughter becoming his plural wife. She remembered well the marriage of Johnson to her daughter, and fixed the date definitely in May, 1894.

"He just asked me if I was willing that he should marry my daughter, and I said 'yes,'" said the witness.

"She wanted to wait until she was eighteen, but he was not willing. I saw both Mr. and Mrs. Johnson, the first wife, when they and the daughter who was to become the second wife, were in Juarez."

"The fact was brought out that Apostle Teasdale had advised her against allowing her daughter to become a plural wife, on the ground that it was against the law of the church."

Mrs. Matthews also gave some facts concerning her own history. She was born in England, and while living a widow in that country, had become converted to Mormonism about 1855 by George Barber, a missionary of the Mormon church.

She said she married Barber, becoming his third wife. She said, she said, embraced Mormonism knowing that it inculcated polygamy, which was against the law of the land.

MERRILL RECALLED.

Merrill was temporarily recalled and questioned by Senator Dubois, who said: "Mr. Merrill, do you still uphold the doctrine of polygamy?"

"No," was the reply.

"But you practice it?"

"I do."

"How do you reconcile the two statements?" one of the committee asked.

The witness did not reply.

APOSTLE FRANCIS M. LYMAN.

Francis M. Lyman, an apostle of the Mormon church and the prospective successor of President Joseph Smith, was the next witness. He was born 64 years ago, and had been an apostle since 1880.

"Are you a polygamist?" Taylor asked, and the witness replied frankly, "Yes."

He said that he had had three wives, and that one of them died, two are still living. By his second wife, to whom he was married in 1884, he had five children, the last being born in 1890. Lyman said that he had been one of the signers of the prayer for amnesty, pledging himself to all that it contained. He did not, however, recall just what it did contain.

Several questions by members of the committee followed in rapid succession, and Lyman admitted, in response to them, that he knew that in living in polygamy he was disobeying both the law of the land and the rule of his church. He also said in reply to one of these questions that he was not only living in polygamous cohabitation, but that he expected so to continue to live.

Mr. Hoar at last took the witness in hand, and brought out a succinct statement from him which was of a character to interest all present.

"Referring to the rule of which you have spoken," Mr. Hoar said, "you understand the rule of the law of the church to be the law of God, did you not?"

Mr. Lyman replied that such was his understanding.

"Then you're living and intend to live in violation of the law of God and man?"

"I fully intend," said Lyman, showing a disposition to elaborate more than he had done, "to be true to the law of my country, to my God and to my obligations and covenants with my wives, and I have never done a thing that my conscience did not approve."

"I want," he proceeded, "to make a pleading tone of voice, 'to make a brief explanation, if you will permit it. My case is different from that of most other men. I was born in 1840, and I can hardly remember when my father was not a polygamist. He was a friend and adviser of Prophet Joseph Smith, and was taught by him the importance and the truth of the principles of polygamy. He accepted the teaching and entered into the practice, marrying six wives in the years 1845 and 1846. My life since my earliest recollection embraces the life of polygamy. I remember all my father's wives as I do my own mother, and I lived in a family thus constituted until I grew up and became the head of a family of my own."

"Consequently I have known nothing else, and I have felt that it was my duty to follow in the footsteps of my father and his fathers, and I have always felt in my heart and my soul that it was correct. I married first in 1857, again in 1869, and once more in 1884. The situation has been very painful to me, and I have been greatly pained to find myself in opposition to the law of the country and the church. But I had made a covenant with my wives to love, respect and cherish them, and I could not find it in my heart to separate from them, so long as they were true to me."

Senator Hoar: So you, an apostle of your church, expecting to succeed Mr. Smith in the presidency and in

that capacity to receive divine revelations yourself, confess that you are now living and expect to live in disobedience to the laws of the country, the law of your church and the law of God?

The witness replied with a simple "Yes."

He added, in reply to a question from Senator Dubois, that he considered it his duty to live with and protect his wives.

Mr. Lyman said he became an apostle in 1880, and that Reed Smoot became an apostle in 1900. He said Smoot had never reprovved him for living in polygamy, either in public or in the apostolic meetings.

"If I am thought worthy, I will succeed to the presidency of the Mormon church, if I survive President Smith," said Lyman in answer to a question.

He said that he is the presiding official of the twelve apostles. The name of Henry Smith, a polygamist, was given as the second member of the twelve apostles, and that of George Teasdale, a polygamist, as the third apostle; Heber J. Grant, a polygamist, fourth; John W. Taylor, a polygamist, fifth; Merrill, a polygamist, sixth; and another sixth member who is conceded to be a polygamist.

"Senator Smoot has attended the meetings of the apostles," said Lyman, "and has taken part in the exercises at the weekly meetings."

Lyman said the members of the first apostolic council, the apostles, never discussed the advisability of prosecuting persons engaged in polygamous cohabitation.

In answer to a question by Senator Overman, Lyman said that despite her daughter, the president of the church could not issue an order upon an elder to perform plural marriages.

Senator Pettus inquired concerning the authority given to Smoot to become a candidate for Senator, and Lyman said that under the rule of the church must have been given by President Smith.

IN RE REVELATIONS.

(BY THE ASSOCIATED PRESS—P.M.)

WASHINGTON, March 8.—Lyman said the principle of getting consent was that a shepherd could not leave his flock of sheep until his successor came to take charge, and therefore it was required that officials must get authority before leaving their official duties in the church.

"Apostles Grant and Teasdale were chosen by revelation to President Snow," said Lyman, "and a revelation also has been given in regard to these men."

He explained that the latter revelation came after President Snow had told him the names of the men whom he wanted chosen to fill the vacancies. Lyman was asked what distinction he made between the revelations he obeyed and those he did not obey.

"I suppose you mean the laws I have confessed that I have violated in cohabiting with plural wives," he said.

When told that was what was meant, he said: "I trust myself to the mercy of the Lord."

"Have you ever repented of that disobedience?" asked Mr. Hoar.

"Not yet."

"Did Senator Smoot know you were living with plural wives?" was asked.

Lyman answered that Senator Smoot did not know, as he never met any of the wives. He said that the people in general in Utah knew, but that he did not think Smoot knew, and he was not generally known and his reputation was so wide that he was admitted as a fact in regard to him would be accepted by the people as true.

Chairman Burrows insisted on knowing how people of Utah knew in regard to his life why Senator Smoot could not know just what the witness responded several times that the people must have known, but that Senator Smoot did not, whereupon Senator Hoar demanded to know what the witness meant by such answers. The witness then said Senator Smoot probably knew just as much about the question as the people in general.

TAKES IT BACK.

"Do you take back what you said then, that the people knew and Senator Smoot did not know," asked Senator Hoar.

"I take that back."

"Don't you think, Mr. Apostle, that it behooves you to be a little careful about what you say, so that you will not have anything to take back?" asked the Senator severely.

Chairman Burrows asked: "After asking the witness if he had received a revelation concerning what he was to testify to on the stand, and whether such revelation could be responsible for his change of mind in regard to the questions asked."

"Are your answers hereby ordered of the Lord? Are they given of human or inspired capacity?" the Senator asked.

"I answer as the spirit of the Lord directs."

"Then it was the spirit of the Lord which directed you to make that answer you just took back and which you said was a mistake?"

The witness hesitated, and Senator Hoar remarked: "Well, if you can't answer that, I don't blame you."

Chairman Burrows asked: "After all of this testimony, which Senator Smoot has heard, do you think he now knows whether you are practicing polygamy?"

"I don't think he knows."

"You think he believes you when you testify that you do not?"

"I believe he believes it and believes me."

After much effort, a statement was obtained from the witness that he thought Senator Smoot was acquainted with the general reputation and accepted report that Lyman was living in polygamous cohabitation with his plural wives.

Chairman Burrows asked Lyman in regard to the Reorganized Church of Latter Day Saints at Lamonia, Iowa, of which a son of Joseph Smith, the prophet, is the head, and Lyman gave his ideas of the differences between the two organizations.

He was asked if the reorganized church did not denounce polygamy, and answered: "They denounce it so hard it almost provokes us to defend it."

Senator Dubois asked if the reorganized church teaches absolute obedience to its leaders, and was informed by Lyman that he understood

the church was not very strenuous in that regard.

"Now, in regard to consent given Senator Smoot to become a candidate for Senator—suppose President Smith had refused to give this consent, and Smoot had insisted on becoming a candidate, what would have happened to him?" asked Senator Dubois.

Lyman said Smoot would have been disciplined, asked to task, reproved or corrected. He was asked what would have happened in the event of President Smith having given his consent to another apostle to become a candidate for the Senate.

"I don't know," he replied. "It would have made lots of confusion. We have 'scraps' about this question when it comes to us."

Worthington having objected to the question concerning the belief of the reorganized church as irrelevant, Senator Hoar said that the Senate investigation was more like a grand jury inquiry than a trial, and that they were not confined to the narrow issues of this question. If he had been, I would not have put many of the questions which I have in this case."

Worthington said he had no objection to the testimony, so long as it is understood that irrelevant matter will not be taken seriously by the committee.

Taylor said it had been shown one of the main points of the case was peaceable, law-abiding citizens, while the other is a menace to society and good government, and that "in the latter case, Senator Smoot is so woven into the organization that we hold he cannot be extricated without cutting himself out of the details."

Worthington inquired whether Senator Smoot could resign his apostleship if he wanted to do anything which the church forbids, and still remain a Mormon in good standing.

"VOX POPULI."

Lyman answered affirmatively. He told the story of an effort on the part of Prophet Joseph Smith to get rid of one of the high councilors who had been chosen by revelation and the refusal of the people to submit to the change. This was for the purpose of showing that the will of the people is stronger than the wish or command of the president of the church.

"Do you want to see the revelation of the Lord which was revealed to the people?" he asked.

"It would count for nothing for those who rejected it."

"Would it be binding upon the institution of the Lord who revealed the revelation?" he asked.

"The law of the Lord is whatever is done by common consent."

"Then the Lord submits to the people whatever He desires to have done, and if the people like it they give their consent. That is the law of the Lord."

"People have their rights and they must be respected," answered the witness.

"The Lord can't make the people do right or accept His laws. Man is left to follow his own agency in regard to religion, business and politics."

"Then," persisted Senator Hoar, "where the Lord has chosen certain persons as apostles and the people do not care to accept the selection, what happens?"

"The man always steps aside when the people reject."

"They have a sort of veto power over the Lord then?"

Both the prosecution and defense announced they had concluded with Apostle Lyman, and he was discharged.

The committee adjourned until tomorrow.

THE CONGRESS.

REGULAR SESSION.

(BY THE ASSOCIATED PRESS—A.M.)

WASHINGTON, March 8.—SENATE.—At the beginning of the session of the Senate today Mr. Newlands of Nevada spoke in favor of the passage of his bill to preserve the vista from the dome of the national capital to the Washington Monument by restricting the erecting of public buildings to a line 400 feet on either side of a central line between the points named. The bill was referred to the Committee on the District of Columbia.

The following bills were passed: Amendment to the act of March 3, 1907, in Section 223, Revised Statutes, and authorizing the Secretary of the Interior to acquire title to lands in Indian reservations within the great bend of the Atlantic and Pacific Railroad in New Mexico and Arizona.

The Army Appropriation Bill was taken up, and the reading of committee amendments proceeded with. At the request of Mr. Proctor, the committee amendment authorizing the payment of 25 per cent of the salaries of officers and men of the Philippine scouts in Philippine currency was agreed to.

The bill was completed, the amendment concerning the provisional Porto Rican regiment was again taken up.

THREE BATTALIONS STAY.

(BY THE ASSOCIATED PRESS—P.M.)

WASHINGTON, March 8.—Mr. Taylor moved to disagree to the Senate amendment, and the regiment consisting of three battalions, instead of two, as fixed by the House. The suggestion caused debate, which took a wide range, concerning the use of native troops in the Philippines. Messrs. Teller, Spooner, Foraker, Daniel, Carmack, Money, Morgan and Quarles participated in the discussion, saying remarks. Mr. Foraker said that any intimation that the President desired to use the Porto Rican troops for an imperial purpose was unfounded.

Mr. Carmack said he took the proposition as an indication of a tendency toward military government, saying "that the distinguished soldier," Mr. Root, had been mustered out of office of Secretary of War with flying flags and blowing horns, and that his successor had been inducted into office under similar conditions.

"Now," he said, "we are to have a military display on the presentation of diplomats. I am sorry the order for that system was not given to Bannau. It should have been given to the system in vogue on his arrival, and would have been glad to command it."

Mr. Taylor's amendment was rejected, and the provision for three battalions was retained.

The Senate also returned to the committee the amendment transforming

the Adjutant-General's office into a military secretary's department. Mr. Proctor said the amendment was in the interest of operative detail, and he defended Gen. F. A. Ainsworth, at the head of the Record and Pension Office against the charge of too rapid promotion. The provision promotes Gen. Ainsworth from a brigadier to a major-general. The amendment was adopted.

Mr. Culberson suggested an amendment, providing for an increase in the Engineer Corps, explaining the necessity for a larger number of engineer officers in the river and harbor work of the country. With some modifications the amendment was accepted. It provides that the corps shall be composed of 10 colonels, sixteen lieutenant-colonels, thirty-two majors and forty-three captains, forty-three first lieutenants and forty-two second lieutenants.

With the bill still pending, the Senate, at 5:30 p.m., adjourned after a brief executive session.

HOUSE PROCEEDINGS.

(BY THE ASSOCIATED PRESS—A.M.)

WASHINGTON, March 8.—HOUSE.—When the House met today Speaker Cannon ruled on a point of order against Mr. Mann of Illinois against the conference on the Legislative, Executive and Judicial Appropriation Bill. It pertained to the matter of carriages for officials of the government. The conferees had asserted the words "official" after the word "personal." These words were not put in by either House. The Speaker sustained the point, and the bill was sent back to conference.

The House then went into committee of the whole for the consideration of claim bills on the private calendar. Considerable discussion was precipitated over the House bill providing an American register for the steamship Seamount, formerly the Mira, wrecked off the coast of Nova Scotia. Debate was cut off by Mr. Fordney moving that the bill be reported favorably, which was done amid applause.

At 5:05 o'clock the House adjourned until tomorrow.

TO AID CALIFORNIA COMPANY.

IRRIGATION BILL INTRODUCED.

(BY DIRECT WIRE TO THE TIMES.)

WASHINGTON, March 8.—[Exclusive Dispatch.] Representative Daniels introduced a bill in the House today legalizing the diversion and appropriation of water from the Colorado River for irrigation purposes. The bill is aimed to aid the California Development Company, which is threatened by a suit from the Colorado River Irrigation project to irrigate the Colorado Desert.

In the Indian Appropriation Bill, there was an amendment inserted by the committee at the suggestion of Secretary Hitchcock, providing that when the government project is completed the Colorado River and the Yuma Indians should be allotted five acres each of irrigated land in lieu of the allotments of the balance of the above allotments to be sold and the proceeds devoted to the benefit of the Indians. This was stricken out on a point of order raised by Representative Livermore, who described it as "dangerous legislation."

WASHINGTON NOTES.

Fortification Bill Increased.

WASHINGTON, March 8.—Senator Pettus today reported the Fortification Bill with a net increase of \$50,000 over the bill as passed by the House. The bill is the result of the bill as reported to the Senate \$7,637,192.

Railways in Philippines.

WASHINGTON, March 8.—[Exclusive Dispatch.] Secretary Taft will go to New York tomorrow to discuss with the representatives of large railway interests the building of roads in the Philippines. The Secretary wants a road built from Manila to Aparri, through the hemp country.

Canal Title Incontestable.

WASHINGTON, March 8.—[Exclusive Dispatch.] It is said that Attorney General Knox shows signs of yielding to Secretary Hay's advice to take over the Panama Canal at once, on the theory that even if the title is not absolutely perfect, there will be no one to contest it.

HOUSE SWEEP AWAY.

Pennsylvania Flood, Due to Rise in the Susquehanna, Doing Much Damage.

(BY THE ASSOCIATED PRESS—A.M.)

LANCASTER (Pa.) March 8.—The river at this bridge began to fall slightly today after having exceeded all previous records by several feet. Several houses were swept away. The electric power plant at York Haven has been totally destroyed.

WORST IN ITS HISTORY.

HARRISBURG (Pa.) March 8.—Harrisburg today faces the worst flood in its history. Weather Observer Delain says that the water level of the Susquehanna River is still rising and the situation all along the river is critical. Residents of lowlands are moving to higher ground. The river is gradually rising and probably will continue to rise for twenty-four hours.

WATER STILL RISING.

(BY THE ASSOCIATED PRESS—A.M.)

WILKESBARRE (Pa.) March 8.—The water in the north branch of the Susquehanna River is still rising and is the highest since 1902, when the entire city was flooded.

CONVERTS OR GOLD?

Legal Struggle for Rich Alaskan Mines in Which Missionaries Are Interested.

(BY THE ASSOCIATED PRESS—A.M.)

CHICAGO, March 8.—A struggle for possession of an Alaskan gold mine which in less than five years has yielded over \$1,200,000 is now going on secretly before a board of arbitration in Chicago. The claimant is the Swedish Evangelical Mission Covenant of America, through a former missionary, N. O. Hultberg of San Jose, Cal., and the action is directed against P. H. Anderson of Chicago, another former missionary; Dr. C. W. Johnson, also of Chicago, and the White Star Mining Company, in which a number of Chicagoans are interested.

The dispute reaches back to the first discovery of gold in Alaska, and hinges on the point whether a missionary sent into the northern wilderness to convert the natives to Christianity was likewise acting for his church when he staked out a number of mining claims. These claims have been developed into highly profitable gold mines, out of which several men have made fortunes.

Thus far, nearly twenty persons have testified. The agreement of the litigation to argue the case before a board of arbitration was due to their desire to avoid the notoriety attendant on a court hearing. The church society is represented by ex-Judge M. Soderberg of San Francisco, Frank J. Quinn of Peoria, Ill., and H. F. Williams of Chicago.

SIX PERSONS KILLED.

Head-on Collision on Southern Road Said to Be Due to Overlooking Orders.

(BY THE ASSOCIATED PRESS—P.M.)

BIRMINGHAM (Ala.) March 8.—Six persons killed, three fatally injured, two injured and a limited express train and a freight train partially destroyed by fire is the result of a head-on collision today on the Alabama and Great Southern railway, near Keweenaw, seventeen miles north of Meridian, Miss.

The dead: ENGINEER P. H. LARKIN of the express train, Birmingham. ROBINSON RIGGS, mail clerk, Chattanooga. HENRY BANKS, colored, fireman on express, Birmingham. MAIL CLERK WIGHER DAVIDSON, Chattanooga.

Colored fireman on freight train, name not given, was seriously injured. J. H. HINDS, Nashville, Southern Express messenger.

DR. K. W. WALKER, barrister-at-law, ENGINEER CASE of the freight train.

The trains involved were the south-bound limited, on the Queen and Crescent system, and a northbound Southern railway freight, both roads using the same tracks between Meridian and York. It is understood, the freight train overlooked orders to meet the express.

GRAFT IN CHICAGO.

Sporadic, Not Systematic, Says Committee Appointed to Look Into Matter.

(BY THE ASSOCIATED PRESS—A.M.)

CHICAGO, March 8.—After three revisions, the report of the municipal "graft" committee has been given to the City Council. Alderman E. F. Herman, chairman of the committee, handed in the document, which concludes five months of investigation into charges of City Hall corruption. The report finds there is no systematic graft in Chicago—that is, no systematic graft—such as obtains in other cities. Graft in Chicago is only "sporadic."

The investigation was started when Mayor Harrison, in an interview last fall, said that if he were to weed out corrupt officials, he would have grafters jumping out of every window of the City Hall. The results—before the report was issued—were the suspension or discharge of more than fifty city employees, the indictment of a dozen and the resignation of numerous others.

In the matter of measures for the suppression of vice, the report of the committee takes issue with several of



























Skirts Made Free  
For patrons who man tailor. Inquire at dress goods dept.  
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ents  
that has so far been proved and beautified. You'll find an array of suits, skirts, and suits \$12.50.  
and suits in brown, gray and blue in semi-costume style, an excellent suit. Special today \$12.50.  
\$1.50—Value Up to \$3.75.  
a big sale of separate skirts, worth as high as \$2.50, come in plain or with trimmings of stripes or bands in brown, gray, black, blue, etc.  
—The New Shirt Waists.  
have been waiting for this sale public will be delighted. Look of Spring shirt waists in all styles and material, including embroidered, lace, etc., etc., exquisitely trimmed with lace, tucks and insertion. Extra plain tailor-made effects. Extra 4.50.  
25 to \$3.75.  
50 to \$15.00.  
osiery  
s Lisle Hose 29c  
s hose, fast color, full regular for Wednesday, 25c.  
s Lace Hose 15c  
s, lace all around, seamless, today.  
Corsets  
their experts properly adjust the right kind of corset.  
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Waistings 50c Yard  
s hose, fast color, full regular for Wednesday, 25c.  
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s, lace all around, seamless, today.  
BY BUYING  
Department Store  
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25% discount  
S. SATSUMA, FORTS.  
RE AT REDUCED PRICES.  
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LOS ANGELES  
otel, Riverside.

**Home News Sheet.**  
CITY AND COUNTRY.  
XIII<sup>th</sup> YEAR.  
RELIABLE GOODS. POPULAR PRICES.  
**N. B. BLACKSTONE CO.**  
Telephones: **DRY GOODS.** Spring and Third Sts.  
**Important Showing of Table Linens**  
WANT BUYERS OF HOUSEHOLD LINENS to examine this new collection. Compare these with the most attractive goods you have seen anywhere, in style, quality and price. We are persuaded to believe that values have not been exhibited before in this town. Some suggestions are in one of the Spring street windows. Here's just a hint.  
**Table Damasks**  
Full bleached satin damask, heavy, soft, Irish cloth, in a variety of designs, to choose from, value, at, yd., **75c**  
Full bleached satin damask, heavy, soft, Irish cloth, in a variety of designs, to choose from, value, at, yd., **85c**  
Full bleached satin damask, heavy, soft, Irish cloth, in a variety of designs, to choose from, value, at, yd., **\$1.10**  
Full bleached double satin damask, Irish make, a dozen new patterns to choose from, value, at, yd., **\$1.25**  
Napkins  
Full bleached table damasks, all qualities, and extra special values this week.

**CECILIAN**  
THE PERFECT PIANO PLAYER  
Sensitivity and artistic efficiency were the two points aimed at in Cecilian's construction. The successful combination of these qualities is the secret of its unprecedented popularity and accounts for the enormous increase in the number of Cecilians sold in all parts of the world.  
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**GEO. J. BIRKEL CO.**  
Steinway and Cecilian Dealers  
345-347 South Spring Street

**Munger's Laundry**  
We Do Not Experiment.  
You take no risk if you send us your bundle. Our methods are the same as have made the Munger famous throughout the East.  
Chicago, St. Louis, Kansas City  
And Des Moines have given us "their stamp of approval"—Los Angeles people are doing the same.  
614-616 South Main Street, Los Angeles.  
Office—56 West Colorado Street. Phone Red 2322  
**rent's**  
Fix up the home with some bright, new furniture. It is a very simple matter when you consider Brent prices, and our credit system, which arranges payments to suit your convenience.  
**NOLEUM.**  
Large stock—55c per yard.  
T. BILLINGTON CO.,  
814 S. Broadway.

**TINKER YELLS, SEASON IS ON.**  
**Jake Weimer First Cub Out on Practice Field.**  
**Select Go to Work, and a Hot Morning Helps.**  
**Tub Looloo Wheeler Doing a Multi-shirt Stunt.**  
Residents of Grand avenue and Washington streets were aroused from their maternal meditations about 10 o'clock yesterday morning by an unearthly, diabolically piercing war whoop, which apparently emanated from the immediate vicinity of that sport-sanctified inclosure known officially as Chutes Park.  
Speculation as to the cause was rife among the good wives and such of their spouses as had not already left themselves to their daily graft. Probably speculation would still be rife had not some Chicago tourist, fresh from the Windy City and with the old yell of Joe Tinker ringing in his ears, declared that the hyena-like aural exorcisms could have proceeded from some other. Subsequent examination proved this to be true. "Tinker's" yell opened the baseball season of 1904 for the Seelie in traditional style, and those who early yesterday morning thought Chutes Park had been turned

over to Buffalo Bill's Wild West aggregation may now know that it was nothing but the Chicago National League baseball team after all.  
A good night's rest must have done the visitors a world of good. They came through the gates on the gallop and brunt Jake Weimer just nosed out Tinker for the honor of being first on the field of battle. The entire squad turned out with substantially the same line-up as that which trained here last spring, but with several changes in the pitchers' box and some outfield shifts. Johnnie Kling is reinforced behind the bat this year by Jack O'Neil, the receiving end of the famous O'Neil battery which did such great work for the St. Louis Browns last season. Weimer, Corridon and Lundgren, the holdover pitchers, are reinforced by Wicker and Briggs, with some younger talent, and several coils are taking tricks in the outfield. Seelie doesn't know just what his team will be as yet, but expects to have his line-up figured out before he leaves California.  
Dr. Jim Casey, the abbreviated little gent who scrambled into fan favor around the third sack last year, made a great deal of fun getting used to the speed of Morley's skinned field, but as there is nothing around third or the contiguous territory that "Dumplings" cannot solve, he soon mastered it. Casey brought with him Tommy Leach's famous sebra bat, made out of the celebrated cocowee wood, warranted to register a hit every time it drives a ball safe.  
Little Johnny Evers, the painter-second baseman, looks just as he did last year, despite reports that he had taken on flesh. Evers's slight physique indicates he is one of those players who play on their nerve. He is a slight, anaemic-looking lad, but last year showed wonderful speed around the second cushion, and proved to have enough stamina to stand the gaff of a hard ball season.  
John Kling, the pool player-catcher, started easily yesterday and began limbering up his arm. He was conceded to be the best backstop in the National game last year. This season Seelie succeeded in getting an unusually promising lad to spell the veteran in John O'Neil, who looks to have a working knowledge of everything he needs to succeed behind the plate. John Kling, who, as mentioned, composed one of the star batteries of the Robisons last year, are brothers, and of unusually fraternal spirit. They would never have been parted except to further a deal whereby Seelie, who wanted a catcher, got O'Neil in place of Jack Taylor, who filled a long-felt want in the Browns as a pitcher.  
Joe Tinker, Seelie's shortstop, appears to be as much of a glutton for work as he was last year. Another season in fast company served to put a little additional finish on "Tinker's" style, and he is now a top-notch in his position.  
Davy Jones, the fielder, is thinner than when he was here last year, but little Jimmy Slagle looks about the same. There is plenty of material at hand for the other outfield position.  
Chance crawled into a big sweater and worked like a dray horse, as usual.  
Wicker is a big blonde, built from the ground up like a quarter horse, and he ran a close race with Jake Weimer in the games won column last season.  
"Big Bill" Bernhard, LaJole's side-partner, was on deck in his natty blue Cleveland uniform, and let his arm out a little, burning holes over the pan for the rest to swipe at. Cleveland was always noted for huge pitchers—Bernhard and Addie Joss for example. They have a hill in the middle of the home diamond there, and when one of those Goliaths gets up on it,

the effect must be like dropping a buckshot down a well.  
"Tub" Wheeler is studying art, and has shown marked ability at putting what he sees down on paper, but yesterday afternoon his mind was studying out the hardly artistic problem of reducing weight. Wheeler is the hardest worker on the team; it is as natural for him to take on weight as it is for a cullud pussen to abscond with watahmillions, and yesterday's stunts were consummated under a seven-pound sweater and four woolen undershirts. Ye Gods, what a heat! After tearing off a good day's work for a stokehold impervious on an Atlantic liner, Wheeler ran around the park half a dozen times. A Bas le fat boy. It will be Bones Wheeler pretty soon if this keeps up.  
Thursday afternoon the Chicago and Los Angeles teams will play a five-inning game, open to the public on obtaining the proper tickets from Morley. The game will be played in the afternoon, beginning at 2:30 o'clock, and will not cost a cent. Probably the pitchers will be changed every inning. The men will hardly be fit for a siege at that time, and will have to be careful of themselves.  
Those of the fans who consider Jake



**JAKE WEIMER.**  
One of the best baseball pitchers in the world, now in practice here.  
Weimer the equal of Crazy Rube Waddell, without the Rube's peanut head, are predicting great things for the left-handed speed merchant this year. Weimer was one of Seelie's mainstays in the box last year, and is better now than he was a year ago.  
**KNOCKED OUT.**  
Personal Letters of Orlando K. Fitzsimmons Banished from Mails by Fraud Order.  
The woes of Orlando K. Fitzsimmons—"Cumulative" Fitzsimmons—were added unto yesterday, when a second fraud order issued by the United States Postoffice Department against his personal mail went into effect at the Los Angeles postoffice. This personal fraud order is also applied to M. E. Johnson, secretary of the Cumulative Credit Company.  
This order is in addition to the ban placed by the government on mail addressed to, or emanating from the Cumulative Credit Company. According to the fraud papers received at the local postoffice Monday, Orlando K. Fitzsimmons and M. E. Johnson are completely denied the use of the United States mails.  
This is a "stoppage" that will put very bad health.

**AUTO FLYER FLITS AWAY.**  
**Leaving Dishonored Check as a Souvenir.**  
**Also Neglects to Settle Dot Leedle Bill.**  
**Tourist Said to Belong to Good Indiana Family.**  
At least two creditors in this city learned with deep regret yesterday that H. J. Cutsinger, described as a handsome young man with propensities for a good time and tact in "work-

Automobile Touring Company presented his bill to the hotel desk, to be placed against Cutsinger's account, under the supposition that he was still a guest of the house.  
"Mr. Cutsinger paid his bill this morning and left," was the reply, and the house disclaimed responsibility, as the man had settled in full, in the regular way.  
As the matter developed later, it became plain that the young tourist had paid his bill at the Angelus with the cash he had obtained under false pretenses from the friend who accepted his bogus check—he had robbed Peter to pay Paul, as the saying runs.  
As for the auto ride, that was just a "bust," unless the traveler remits from up the line.  
Cutsinger did not show up in the hotel office again after the ride, and is supposed to have taken the noon overland on the Southern Pacific. He is said to come of wealthy and high-respected parents in Edinburgh, Ind., and the person who accepted the check says that the money will be forthcoming as soon as matters are understood in Indiana. He greatly deprecates any publicity, and refuses to discuss the case, being reiterating that the little affair will be arranged satisfactorily. Immediately, Cutsinger stated that he was on his way to Mexico City.  
However, the check incident was reported to the police, and a detective was put on the erstwhile visitor's trail during the afternoon. The police had been requested to keep the matter quiet, and gave nothing out concerning the case.

**WILL PROVE FRIEND IN NEED.**  
**HOMER TOBERMAN DEACONESSE HOME DEDICATED.**  
Greetings from City Pastors and from the Young Woman's Christian Association—One Speaker Holds Deaconesses up for Ideal Wives.  
The formal opening of the Homer Toberman Deaconess Home of the Methodist Episcopal Church, on Bellevue avenue, took place yesterday afternoon.  
The exercises were held in the Bellevue Church, across the street from the

**LORD SAYS KILL AGAIN.**  
**Dangerous Delusion Filling Mind of Hercules.**  
**Redondo Murderer is Giving Trouble in Jail.**  
**Insists He Was Divinely Inspired to Crime.**  
The ceaseless tramp, tramp, tramp of a murderer to and fro across the steel floor of his cell has disturbed the sleep of prisoners at the County Jail for many nights.  
It is like the restive, haunted pacing of a caged mountain animal.  
He can be heard shuffling and creaking across the metal floor back and forth, hours and hours at a time, sometimes giving a sigh like the moaning of a soul that knows itself lost. It is a most uncanny sound, as it comes from the gloom of the great half-lighted jail tanks, occasionally intermingled with the cough of some hobo whose beans have not agreed with him.  
The thought-hunted man in the cage is George Hercules, whose trial is continuing on for the killing of an inoffensive workman in the Redondo car shops. Hercules is the man who opened fire at random on the whole shop, hitting whom Fate would destroy. He said they had "joshed" him.  
Today on the eve of his trial he is the most wretched man alive. He is going insane. He says the Lord has told him to do the crime over again.  
Sometimes in the night the officers go to him to try to quiet him so the other prisoners can sleep.  
"No, I can't sleep," he says wearily. "No, he won't try to lie down; no, he couldn't do it. It makes him feel too bad. Does he feel bad tonight? Yes, he feels terrible," he says.  
Well, couldn't he take his shoes off and walk? No, he wouldn't like to do that; thinks he couldn't walk so well with his shoes off.  
They tell him he is keeping the other prisoners awake.  
All he says is, "I want to see Perry." Perry is the superintendent of the Redondo road.  
"We got to fix this matter up," he says dully. "Yes, it must be fixed up. A lot of people want to keep me here behind the bars. I don't like it here. I want to go."  
And sometimes, without the slightest warning the man will break out with a sudden yell, as though in answer to a voice within, "No, I am not sorry; no, not sorry."  
He insists that he was divinely inspired to kill the man who had done him no wrong except to "josh" him.  
"The Lord says I must do it again if they don't fix this thing up," he says. As he says it, his voice is wrung with an agony of weariness, for he is walking the path that has never seen rest.  
At last the officers talk to him as they would to a child, and the shouting walk ceases; a muffled sigh that is half a groan—and the next sigh is the sigh of some other prisoner in his troubled sleep.

**NO CORPSE.**  
**The Only Thing Lacking in that Child Murder Described by the Examiner.**  
The most remarkable feature of the Los Angeles Examiner's heart-racking account of that child-murder yesterday morning was its enterprising familiarity with the details and its circumstantial presentation of them—just how the father (Charles Temple) entered the room and took the sleeping little one in his arms and carried it to an outhouse, where "in the dark" he fired both barrels of his shotgun into the babe's body, "death being immediate."  
Yes, it would have been an awful crime if there had been a corpse. The Coroner couldn't find one, neither could anybody else. There wasn't any. The child spent the night in Los Angeles with her mother, and as the little one looked alive and happy yesterday, it probably was murdered by its father at Puente night before last. The Herald varied the story by strangling the child, but it wasn't even strangled. It only had hicoughs. The Little Evening Express gave both versions of the "killing" as usual. If anybody had been killed, what a murder it would have been!  
Sheriff White fully demonstrated yesterday morning that the report of the alleged crime was a canard and nothing else. Temple is a defendant in a sensational divorce suit, but there is no criminal charge of any kind now standing against him.  
**WARM AND GROWING.**  
Weather Bureau Reports Much Verdure, but More Rain Will be Needed Soon.  
A bright green blanket for a great part of the area of Southern California is reported in the weekly bulletin of the Weather Bureau. "Warm" and "good growing" are the qualifying expressions applied to the weather which has followed the rains of early last week. Crops generally are making a good growth, and while there is not as much water in the soil as desired, they will not suffer for want of moisture for a week or ten days.  
It is predicted that with good well-distributed spring rains grain will make a fair crop of hay in most localities. The verdure which has appeared on the hills and in the valleys is affording good pasturage for stock. Oranges are reported overripe in some parts of the citrus belt, and are said to be dropping in many orchards.  
**OCCIDENTAL Y.W.C.A.**  
The officers of the Y.W.C.A. for the year have been elected. The president is Miss Estelle McClure; vice-president and chairman of Membership Committee, Miss Anna McKee; treasurer, Miss Bertha Boal; recording secretary, Miss Lillian Merrill; chairman of the Prayer Meeting Committee, Miss Edna Cumberland; Missionary Committee, Miss Mary Stuart; Bible Study, Miss Margaret Grant; and Social Committee, Miss Fay Means.  
**CHILDREN WILL SEE CIRCUS.**  
An invitation has been extended by Norris & Rowe to 100 children of the Los Angeles Orphans' Home, corner of Alpine and Yale streets, to visit their circus next Friday afternoon.

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## PUBLIC SERVICE—OFFICIAL DOINGS.

## SUMMARY OF THE DAY.

At the request of Mr. Davenport the Council yesterday ordered the Chief of Police to investigate Sam Sullivan's saloon at Fifth and Spring streets. It was charged before the Police Commission that Sullivan has been running a disorderly place.

Again the time for sentencing Griffith J. Griffith has been continued. Yesterday Judge Smith carried it over until Thursday, to allow the defense time to file affidavits.

Mrs. Viola Baptiste has brought suit to determine just where the color line is to be drawn, if at all. She wants damages for being refused admission to the Grand Opera house.

The members of the Cresting family are held by the court to be responsible for the assessment levied upon the stock they hold in the Red Cloud Mining Company. The decision is another knock at the "non-assessable" claim often made by the company.

J. H. Beauchamp, defended by Corney-Fendleton, was convicted of violation of the Sunday-closing ordinance, by a jury in Justice Austin's court.

## AT THE CITY HALL. SULLIVAN WINS NOTORIETY.

## SALOON CONDUCTED IN DISORDERLY MANNER.

Women Insulted at the Place by a Pack of Hoodlums, Says Councilman Davenport—Commissioner Lang Declares Overhead Rooms Disgrace to the City.

Sam Sullivan's saloon at Fifth and Spring streets attained further unenviable notoriety at the session of the Police Commission yesterday morning. Councilman Davenport of the Sixth Ward appeared "on behalf of the good and pure womanhood of the Sixth Ward" and complained that the saloon was the headquarters of a gang of unprincipled loafers.

Davenport said a number of ladies had been annoyed by young men who accosted them on that corner and asked where they were going, what car they wished to take, and made other familiar and more objectionable remarks.

"It is not right that a gang of loafers like that should be allowed to accost women and ask them insulting questions on one of the principal streets of this city," said Davenport. "Many people change cars on that corner, and are compelled to wait there for a time. Several ladies have come to me and complained. On Sundays there is always a crowd around that saloon. Sullivan has a restaurant liquor license, and then women, boys and girls, singly and in couples, can be seen going up and down Sullivan's stairs all the time. I think that the saloon has been subjected to scenes on that corner that would be a disgrace to Sonoma or to San Francisco."

Mayor Snyder made a counter attack on Davenport when his turn came to speak by asking the Sixth Ward if he thought Sullivan's place the only one in town where such things occurred.

"It is the only place that has been called to my attention," replied Davenport.

"Do you believe in the restaurant liquor license?" asked the Mayor.

"Well, I do not believe that the many should be punished for the sins of the few," responded the Councilman. "There are one or two men who break the law and immediately some one says that the entire number of restaurant liquor licenses should be revoked. I do not believe that is the way to look at it. You can't very well take the restaurant liquor license away from the Angelus, the Y, the Hollenbeck and other hotels. As a matter of fact, you can't very well revoke a license to grant a license to other places."

"Well, I think the restaurant liquor license is no good anywhere," said the Mayor.

Mayor Snyder moved that the Chief be instructed to make a thorough investigation at once, and this motion carried.

Sam Sullivan has been in trouble before. His restaurant liquor license was taken away from him by the Police Commission for an investigation of the laws, and it was several months before another was granted to him.

Commissioner Lang declared yesterday that there is no doubt that the place was maintained by Sullivan over his saloon as a disgrace to the city. "I believe the proper thing to do is to revoke the restaurant liquor license," he said.

The other commissioners, however, were content with an investigation ordered by the Chief.

Tom Mack's place at Westlake Park was also accorded before the Police Commission. J. Raymond declared that the place was conducted in a disorderly manner, and in a way that was a disgrace to the neighborhood. He said that it was popular with young boys and that they went there for carousals at all times of the day and night.

Mayor Snyder asked Mr. Raymond to present a written complaint against the place as a basis for an investigation, and this will probably be done.

LICENSE TRANSFER. Joseph Belohlavak was granted a transfer of the saloon license at No. 400 Aliso street from George P. Pirrman and a change of location to No. 645 Mateo street. A protest filed by Casey Thomas of the Board of Education against a saloon in this section of the city was ignored by the board in granting the application.

Assistant Matron Gilbert was appointed to the position of matron at the Police Station to take the place left vacant by the death of Matron Gray. Mrs. Loretta McPeak, who was recommended by Maj. John T. Jones, W. H. Workman, A. C. Harper and E. T. Warden, was appointed as matron. Mrs. McPeak is 35 years old and has four children to support. Both appointments made by the Police Commission were made under the emergency provision of the charter. An examination for matrons and assistant matrons at the Police Station will be held by the Civil Service Commission on the 19th inst.

William Couser was appointed a special policeman at the request of A. C. Jones and other residents of the Fifth Ward.

Third Street Stairway. The retaining wall and stairway at the west entrance to the Third-street tunnel is nearing completion. Contractor James Hill has a gang of men em-

ployed in finishing off the work. The improvement will cost about \$10,000, of which the city will pay \$6000.

Height Increased. At the session of the Civil Service Commission yesterday, the minimum height of eligibles for the position of hosemen in the fire department was increased from 5 ft. 5 in. to 5 ft. 6 in. on recommendation of Dr. Edelman. The board transacted the usual amount of routine business.

AT THE COURTHOUSE. SWEET SENORITA SWEARS FIDELITY.

MONICA LUEBANO STANDS BY HER LOVER'S SIDE.

Porfirio Sanchez is Confined in Jail to Answer for Stealing His Sweetheart Away, While He Has a Wife Supposed to be Sighing for Him Down in Mexico.

Monica Luebano is a pretty little California girl of the old-time race, with limited education but an overpowering ability to love. She has been living with her people in Sonoma, and led the usual-drum life until recently, when Porfirio Sanchez appeared upon the scene. That was the beginning of love and trouble.

Sanchez is young—he is only 24—and, in the eyes of the sixteen or seventeen-year-old Monica, handsome. He came from Mexico about three or four months ago, and is above the average of the Mexicans who have been pouring into Southern California. He dresses well, is clean and neat in appearance, and has not spent his time and money in carousing. Not long ago he met the dark little beauty, and soon there was an ardent flirtation going on under the eyes of Monica's people. But they were not prepared for what followed.

Between the two there was some talk of marriage, but Monica was treated as a child, and no Sanchez and his wife heart just went off, and started up housekeeping without asking either the blessing of the girl's relatives or of the church. But, take place on the street, and Josefa Luebano, a sister of Monica's, who lives here in Los Angeles, and knows all the ways of the Americans, set to work to either have the marriage straightened out, or else get revenge for the wrong done to her sister. She went to the police and filed a complaint charging Sanchez with living with her sister in a state of notorious cohabitation and adultery.

When the police issued the report that came filtering through from Mexico that Sanchez has a wife down there, but this he denies, and he is credited with a desire to see Monica if only allowed a chance. But the sister is full of wrath, and claims that Monica will not be sixteen until next month, and that a very serious offense can be charged against Sanchez, even if it is shown that he has no wife living for him down in Sonoma. But Monica is positive that next month she will be 17 years of age, and that consequently she has already passed the age of consent, and can look out for herself.

Yesterday the two sisters came and hung about the jail. The young girl swore eternal fidelity to her lover. Her sister says that Monica shall not have the man of her choice. It all came up the question of, if it transpires that Monica is right, if she is in very truth over 16, then marriage bells will ring out—unless the shoddy shades from below the border take tangible form.

In the meantime Sanchez is held in strict bail to answer the charge preferred against him and to give it to him he is boxed up in the County Jail.

MUST PAY ASSESSMENT. CREAMING'S NEW TROUBLE. Three cases in which S. P. Creaming, the man with the barrel of money, had interest were carried into Judge Conrey's court, and applications made for a preliminary injunction to restrain Creaming from selling stock on account of delinquent taxes.

Judge Allen held in November, 1929, that a valid contract may be made whereby a corporation waives its right to the assessment of taxes. Creaming's decision, however, after examining the decision, Judge Conrey says he sees no reason why another department of the court should set up an opposite rule.

In the three cases of C. A. Creaming against the Red Cloud Mining Company, G. L. Creaming against the Red Cloud Mining Company, and S. P. Creaming against the Red Cloud Mining Company, the petitioners for the injunction claimed that all of the stock money and the stock itself were paid up and non-assessable. Judge Conrey, however, points out that it is contradicted that the bylaws of the corporation provided that no stock for any stock prior to full payment therefor, or that they should be non-assessable. And it is positively held that the corporation has no obligation by any formal action ever prescribed that the certificates should be issued as fully paid and non-assessable.

"It would appear," says Judge Conrey, "that the business of the corporation is in a wrecked condition; that the assessments have been levied in order to pay debts of the corporation and save its property from being lost and that the assessment has been paid by large numbers of the stockholders."

In these premises the court holds that the objectors have not shown a valid contract against assessments, and are not entitled to any order interfering with the proposed sale.

EUGENE HUBBARD. WOUNDED WIFE'S CHILD. Just because G. A. Broadway would not consent to allow his wife to retain the custody of her nine-year-old girl he lost his divorce case yesterday, before Judge Conrey. And that, too, when his wife was perfectly willing that he should have his way and get his divorce without any opposition from her.

Brookway and his wife, Lucretia E. Brookway, married in 1917, and the wife at once started in to make a little money and help her husband out. Then they came to California and lived at Victor. It had been hard work for the wife before, but not so hard as the work placed upon her by the husband. Then, too, there were forms of cruelty practiced by the husband that were told to the court behind closed doors, and which finally prompted the wife to leave her home at Victor and come to Los Angeles.

Having to work to support herself she consented to allow the husband to retain the two boys, but kept her little daughter with her.

Yesterday the wife confessed to leaving her husband, but did not at first tell of the causes that prompted her to do so. Judge Conrey then inquired of the husband as to the reasons for the divorce. The husband was granted the custody of the children, including the girl—would be in accordance with the custody of giving custody to the plaintiff. The husband made no concession regarding the girl, and so Mrs. Brookway had either to make up her mind to lose her daughter or else tell more than she had told up to that time.

"Well, if I have to tell everything in order to retain possession of my child whom I love so much," she said, "I prefer to lose her, for I know that she will come back to me; she won't stay with her father."

But Mrs. Brookway was reminded that that would give her no title to the custody of her child. Then she said that she would like the girl, and would like the child cleared. "I can tell things about him," she remarked, "that would send him to the penitentiary."

After recess the doors of the court were closed and Mrs. Brookway "ut in her case. She had merely answered her husband's complaint, and was not for divorce herself, but the turn of events forced her to speak out. She said that her husband maintained that he had custody of the girl, and that she had refused. But while he was doing so he was merely acting his part so as to get a pot of money in backing the way said that on one occasion she yielded to his solicitations and consented to return a day or two later to see him. When she returned she found two boys at the place they had been placed by their father, and there she accidentally saw a letter addressed to her husband, which was the husband's way said that on one occasion she yielded to his solicitations and consented to return a day or two later to see him. 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[NEWS REPORTS FROM TIMES CORRESPONDENTS.]

and Broadway 312 W. 4th St.

ized of all loose gold and articles of value. Drs. Haas and Culver lost about \$50, the thief entering by means of a duplicate key to the office door. Dr. J. M. Keagy and Dr. V. A. Goodrich were relieved of several gold plates. Dr. Keagy losing his watch.

Last night the dry goods store of F. B. McComas on Beacon street was entered and \$5 taken from the cash register.

Last night a cigar store on Front street was entered, the showcase

Emerson secretary. After the reading of the facts leading up to the organization of Plymouth Congregational Church with a membership of seventy-one persons, the council in executive session recognized the new church and announced it falls full communion into the

TO LEAVE--WEDNESDAY, MARCH 5  
Steamer Santa Monica, Capt. Olsen, for  
Eureka, via San Francisco.  
THURSDAY, March 6--Steamer Centralia,  
Capt. Erickson, for Gray's Harbor, via San  
Francisco.  
FRIDAY, March 11--Steamer Coss Bay,

## CONSTIPATION

AMERICAN RUG CO.  
Oriental  
Rugs  
Sensible  
Paul C.

U., 336 Macy St., Los Angeles.

**Curian** 412 South  
Spring St.



**A Half-ton Mass Nearly  
Kills Another Woman.**

**Theater of War.**

The colored map, with statistics on opposite page, which appeared in the Sunday Times of February 21, will be printed separately in a 16-page, on heavy paper, for preservation and reference, and will be on sale at all book stores and at The Times office at 30 cents per copy.

**If You Want to go East C. Maydock.**  
Academy Illinois Central R.R. 222 South Street.

Fresh  
Violets  
Today  
**10c**  
Bunch

BEST PLACE TO TRADE

# Hamburger's

*1224 N. 1st Street, St. Paul, Minn.*

Since  
**Spring  
and  
Easter  
Opening  
Monday**

**\$6.00**

***Silk Waists at \$2.96.***

A lot of at least 100 silk waists—Tullefin, French de Soies and China Silks; fancy trimmed; are in all colors. **Priced on bargain table today only; no mail or telephone orders at choice.**

***20c Madras Waistings at 9c.***

An assortment of white Madras Waistings with fancy colored stripes. This material is 36 inches wide and worth 50c. On underpriced bargain table today only; no mail or telephone orders.

**9c**

per yard

**Shirt Waist Suit Silks.**

**American and Natural Pongees**—an assortment of pieces shown for the first time. Wednesday, 20 to 27 in the natural Pongee color, finished or unfinished; soft and firm; will launder nicely; are of pure cotton and Shantung silks and are 27 to 30 inches wide. \$1.25. Sale price per yard.

**Shirt Waist Suit Silks**—latest spring shades and colorings are blue, tan, red, green, gray, purple, pink, and Jasper; are Taffetas and Louisiana 20 and 27 inches wide. Usually sold at \$1.25. Our price per yard.

**New Shirt Waist Suit Silks**—including 24 inch, 18 in. in checked patterns in brown and white, white, black and white; fancy broken hairline with woven figures on blue, red, green and white ground with wide overcoat effects. Also woven figures on blue, gray, green and black. Introductory price per yard.

**New Shirt Waist Suit Silks**—small checks in blue, brown and green; also overcoat effects on blue or black grounds with hairline woven figures in blue, green and white. 20 to 27 inches wide. Introductory price per yard.

**White Lawn Waists at \$1.50.**  
These waists are prettily trimmed on front with

embroidery; some of them in styles with lace  
Tucked on back and sleeves; all nicely made  
and in good style. Priced as leaders.....

**SECOND FLOOR.**

**White Lawn Waists at \$1.98.**

As fine a waist as needed for almost any use,  
elaborately trimmed with lace or embroidery  
and are in a large assortment of styles to select  
from. Choice of this lot.....

**SECOND FLOOR.**

**\$1.50 White Lawn Waists at 98.**

The weather is getting warm and you are remind-  
ing it is time to put on shirt waists. For Wednesday  
50 dozen white Lawn shirt waists in two styles  
trimmed in front with fine embroidery or lace  
kinds which usually sell at \$1.50. Specialty  
featured at each.....

**SECOND FLOOR.**

The Hauburger St

**Mrs. West**, supreme record  
**Lady Macabees**, was  
ill at San Antonio,  
mule to Los Angeles,

orders reverse the principles they profess to follow instead of doing things to promise things.

[illegible]

**A Summer Route for Winter**  
East via Sunset-Piedmont Air Line; lowest altitudes; through the Los Angeles to Washington, D. C. change; parlor, observation, dining and dining cars; meals a la carte. Western Pacific agents, or Grove Kashner, 301 W. Third street, Los Angeles.

CONJUG: M. Davidson, Oxnah; C. C. L29-  
 1944; Fred, Redwood City; E. E. L29-  
 1944; P. W. Wigglesworth, Amador City;  
 S. Rodgers, Boulder Creek; C. E. Knight,  
 Redwood City; Fred Berryman, Los Gatos;  
 Martin Shively, Lodesburg; C. E. Rigney,  
 Bakersfield; H. S. Pendergast, Benicia; R. B.  
 Anderson, San Francisco; John R. L29-  
 1944; J. M. Ford, Auburn; Thomas Gibson, Hay-  
 ward; J. H. Hill, Fresno; Alfred Barb, Marys-

It is, as a recent  
man should be able to  
opponent and to de-  
the aid of the latter's own

[illegible]